

ORDINANCE NO. 08- 329

AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF LOS ALTOS AMENDING CHAPTERS 14.02, 14.06, 14.08, 14.10,
14.12, 14.18, 14.20 AND 14.22 OF THE LOS ALTOS MUNICIPAL CODE PERTAINING
TO ACCESSORY STRUCTURES REGULATIONS IN SINGLE-FAMILY DISTRICTS,
TRASH ENCLOSURES IN THE REAR YARD OF MULTIPLE-FAMILY DISTRICTS,
THE SINGLE-STORY HEIGHT RESTRICTION FOR MULTIPLE-FAMILY
DISTRICT PROPERTIES WITHIN 100 FEET OF A SINGLE-FAMILY DISTRICT,
AND THE MODIFICATION OF THE DEFINITIONS OF
“FRONT LOT LINE” AND “FRONTAGE.”

The City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. AMENDMENT OF CODE: A portion of Section 14.02.070 of Article 2 of Chapter 14.02 of the Los Altos Municipal Code entitled “Definitions” is hereby replaced with the following:

“Frontage” means the property line(s) of a site abutting on a street.

“Lot line” means any boundary of a lot.

1. “Front lot line” means, on an interior lot, the lot line abutting a street, or, on a corner lot, the shortest dimension of the lot fronting the street, or, on a double frontage lot, the lot line abutting the street providing the primary means of access to the lot, or, on a flag lot, the interior lot line most parallel to and nearest the street from which the means of access is obtained, except that where the average width of a flag lot exceeds its average depth and the longer dimension is considered the depth, the front lot line will be the property line from which the front yard is measured. On a corner lot, if more than one property line abutting on a street can be designated as a front lot line without creating a nonconforming lot or structure, then either property line may be deemed the front lot line.

SECTION 2. AMENDMENT OF CODE: Section 14.06.120 of Chapter 14.06, 14.08.120 of Chapter 14.08, 14.10.120 of Chapter 14.10 and 14.12.120 of Chapter 14.12 of the Los Altos Municipal Code entitled “Accessory structures and swimming pools” is hereby replaced with the following:

Accessory structures, outdoor barbeques and swimming pools.

A. Accessory structures that are no more than six feet in height may be located in interior and exterior side and rear yard setbacks subject to the following provisions:

1. The maximum width of the accessory structure shall be five feet.
2. The maximum length of the accessory structure shall be sixteen (16) feet.
3. The accessory structure shall be screened from off-site view with solid fencing which is not lower in height than the accessory structure and which is constructed in conformance with the provisions of Chapter 14.72 of this title.

4. In no case shall there be less than a five-foot clearance between either the accessory structure and the main structure or the accessory structure and the property line.

B. Accessory structures that are more than six feet in height may be located in the required rear yard setback area or in the main structure’s building envelope, subject to the following provisions:

1. Accessory structures shall have a minimum setback of two and one-half feet from the side and rear property lines.

2. No portion of any accessory structure shall project above a daylight plane, beginning at a height of six feet at the side property line and increasing at a slope of four feet for each ten (10) feet of distance from the side property line to a distance of ten (10) feet from the side property line.

3. The maximum allowable height for accessory structures shall be as follows:

i. Eight feet in height when located within five feet of a rear property line.

ii. Ten (10) feet in height when located within seven and one-half feet of a rear property line.

iii. Twelve (12) feet in height when located a minimum of seven and one-half feet from a rear property line, or two and one-half feet from a rear property line that abuts an alley.

4. Notwithstanding the provisions of Section 14.66.220 of this title, no portion of an accessory structure, including but not limited to roof eaves, chimneys and vents, shall project into any required setback or daylight plane as outlined in this sub-section B.

5. The Architectural and Site Review Committee may approve an accessory structure located entirely within the main structure's building envelope to extend up to eighteen (18) feet in height if the committee finds and determines that the additional height is necessary in order to establish architectural compatibility with the main structure.

C. Outdoor barbeques, fireplaces, sinks and similar structures located within the required rear yard setback shall be set back a minimum of five feet from any property line. Said structures shall not be located in the required front or side yard setback areas.

D. Swimming pools, hot tubs, and spas located within the required rear yard setback shall be set back a minimum of five feet from any property line. Said structures shall not be located in the required front or side yard setback area.

E. Accessory structures containing swimming pool motors and equipment shall not be located in a required side yard setback area.

SECTION 3. ENVIRONMENTAL ANALYSIS. The amended regulations set forth herein have been reviewed and considered by the City Council in accordance with the provisions of the California Environmental Quality Act of 1970, as amended, and the guidelines promulgated thereunder, and Council finds that it can be seen with certainty that there are no significant environmental impacts on the environment resulting from these amendments and said amendments are therefore exempt from the requirements of the CEQA.

SECTION 4. CONSTITUTIONALITY. If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

SECTION 5. PUBLICATION. This ordinance shall be published as provided in Government Code section 36933.

SECTION 6. EFFECTIVE DATE. This ordinance shall be effective upon the commencement of the thirty-first day following the adoption date.

The foregoing ordinance was duly and regularly introduced at a meeting of the City Council of the City of Los Altos on May 13, 2008 and was thereafter, at a regular meeting held on May 27, 2008 passed and adopted by the following vote:

Ayes:

Noes:

Absent:



Valorie Cook Carpenter, MAYOR

Attest: 

Susan Kitchens, CITY CLERK

Date: August 26, 2008